

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LORINDA BROWN, and JACQUES)
KRANCE,)

Plaintiffs,)

4:09CV3044

v.)

HILTON HOTELS)
CORPORATION, a foreign)
corporation,)

Defendant.)

MEMORANDUM AND ORDER

The defendant claims the plaintiffs lack standing to pursue their claims, and therefore the court lacks subject matter jurisdiction over this case. Upon review of the pleadings and relevant law, the court finds the standing issue should be resolved at the outset. Accordingly,

IT IS ORDERED:

- 1) The defendant is given until October 1, 2009, to file a motion addressing whether this case should be dismissed for lack of standing under Rules 12(b)(1) and/or 12(b)(6) of the Federal Rules of Civil Procedure.
- 2) The parties may, at this time, conduct discovery on the issue of standing. However, as to all other issues in this case, discovery is stayed pending a court ruling as to whether the plaintiffs have standing to litigate their claims.

DATED this 16th day of July, 2009.

BY THE COURT:

s/Richard G. Kopf

United States District Judge